

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

<b>IN RE:</b>	§	<b>BANKRUPTCY CASE NO.</b>
	§	
<b>FEX, INC.,</b>	§	<b>10-33843-H5-11</b>
	§	
<b>DEBTOR</b>	§	<b>Chapter 11</b>

**DEBTOR'S MOTION TO DISMISS**  
**CHAPTER 11 BANKRUPTCY CASE**

COMES NOW FEX, INC., Debtor herein, and files this its Motion to Dismiss its Chapter 11 Bankruptcy Case as it no longer wishes to prosecute the case.

WHEREFORE, premises considered, Debtor respectfully moves that this Motion to Dismiss be granted, and that its Chapter 11 Bankruptcy be dismissed without prejudice as to refiling.

Respectfully submitted,

/s/ Margaret M. McClure  
MARGARET M. MCCLURE  
State Bar No. 00787997  
909 Fannin, Suite 3810  
Houston, Texas 77010  
(713) 659-1333  
(713) 658-0334 (fax)  
McClureMar@aol.com (e-mail)

ATTORNEY FOR DEBTOR

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was mailed electronically or mailed by first class mail, postage prepaid, or faxed this 23rd day of August, 2010 to the parties on the attached matrix.

/s/ Margaret M. McClure  
MARGARET M. MCCLURE

**10-33843** FEX, Inc.**Case type:** bk **Chapter:** 11 **Asset:** Yes **Vol:** v **Judge:** Karen K. Brown**Date filed:** 05/04/2010 **Date of last filing:** 08/17/2010

## Attorneys

**Darla Catherine Carlisle**

Weycer Kaplan et al

11 Greenway Plaza

Ste 1400

Houston, TX 77046

713-961-9045

dcarlisle@wkpz.com

*Assigned: 05/05/2010*

representing

**Washington/Shepherd Partners, Ltd**c/o Weycer, Kaplan, Pulaski & Zuber  
P.C.

11 Greenway Plaza

Suite 1400

Houston, Tx 77046

713-961-9045

1-866-449-7016 (fax)

dcarlisle@wkpz.com

*(Creditor)***John P Dillman**

Linebarger Goggan et al

1301 Travis Street

Suite 300

Houston, TX 77002

713-844-3478

713-844-3503 (fax)

houston\_bankruptcy@publicans.com

*Assigned: 06/07/2010*

representing

**Harris County et al**

Linebarger Goggan Blair &amp; Sampson LLP

c/o John P. Dillman

PO Box 3064

Houston, Tx 77253-3064

713-844-3478

713-844-3503 (fax)

houston\_bankruptcy@publicans.com

*(Creditor)***Jay Walton Hurst**

Office of the Attorney General

300 West 15th Street

8th Floor

Austin, TX 78701

512-475-4861

512-482-8341 (fax)

jay.hurst@oag.state.tx.us

*Assigned: 05/06/2010*

representing

**Texas Comptroller of Public Accounts**

Jay W. Hurst

c/o Sherri K.Simpson, Paralegal

P.O. Box 12548

Austin, TX 78711

*(Creditor)***Christine A March**

Office of the US Trustee

515 Rusk St

Ste 3516

Houston, TX 77002

713-718-4650 Ext. 239

713-718-4570 (fax)

christine.a.march@usdoj.gov

*Assigned: 05/04/2010***LEAD ATTORNEY****ATTORNEY TO BE NOTICED**

representing

**US Trustee**

Office of the US Trustee

515 Rusk Ave

Ste 3516

Houston, TX 77002

713-718-4650

USTPRegion07.HU.ECF@USDOJ.GOV

*(U.S. Trustee)*

**Margaret Maxwell McClure**

Attorney at Law

909 Fannin

Suite 3810

Houston, TX 77010

713-659-1333

713-658-0334 (fax)

margaret@mmmccclurelaw.com

*Assigned: 05/04/2010*

representing **FEX, Inc.**  
4826 Washington Avenue  
Houston, TX 77007  
(Debtor)

**Timothy Aaron Million**

Munsch Hardt Kopf &amp; Harr, P.C.

700 Louisiana

Suite 4600

Houston, TX 77002

713-222-4010

713-222-1475 (fax)

tmillion@munsch.com

*Assigned: 08/17/2010*

representing **First National Bank of Southern  
Kansas**  
(Creditor)

**Carl O Sandin**

Perdue Brandon Fielder Collins &amp;

MottLLP

1235 N Loop W Ste 600

Houston, TX 77008

713-862-1860

713-862-1429 (fax)

csandin@pbfc.com

*Assigned: 06/04/2010*

representing **Carl O. Sandin**  
(Creditor)

**Timothy Webb**

Webb Associates

3401 Louisiana St

Ste 120

Houston, TX 77002

713-752-0011

timwebblaw@aol.com

*Assigned: 08/09/2010*

representing **Jeff Alonzo**  
6219 Queenswood Lane  
Houston, TX 77008  
(Interested Party)

**Troy Sams**

6219 Queenswood Lane

Houston, TX 77008

(Interested Party)

PACER Service Center			
Transaction Receipt			
08/23/2010 17:56:04			
PACER Login:	mm0211	Client Code:	
Description:	Attorney List	Search Criteria:	10-33843

<b>Billable Pages:</b>	1	<b>Cost:</b>	0.08
------------------------	---	--------------	------

Label Matrix for local noticing  
0541-4  
Case 10-33843  
Southern District of Texas  
Houston  
Mon Aug 23 17:57:25 CDT 2010

Harris County et al  
Linebarger Goggan Blair & Sampson LLP  
c/o John P. Dillman  
PO Box 3064  
Houston, Tx 77253-3064

4  
United States Bankruptcy Court  
PO Box 61010  
Houston, TX 77208-1010

Carl O. Sandin  
1235 N Loop West #600  
Houston, TX 77008-1772

Financial Pacific Leasing, LLC  
PO Box 4568  
Federal Way, WA 98063-4568

Genesis Commercial Capital, LLC/  
Pentech Financial Services, Inc.  
17551 Gillette Avenue  
Irvine, CA 92614-5609

(p)INTERNAL REVENUE SERVICE  
CENTRALIZED INSOLVENCY OPERATIONS  
PO BOX 21126  
PHILADELPHIA PA 19114-0326

Mission Milam Investors, L.P.  
3300 S. Gessner, Suite 270  
Houston, TX 77063-5197

Point Group  
Attn: Valerie  
5949 Sherry Lane  
Dallas, TX 75225-6532

Texas Comptroller of Public Accounts  
c/o Mr. Jay W. Hurst  
Office of the Attorney General  
P.O. Box 12548  
Austin, TX 78711-2548

Compass Bank (Unsecured) Department  
P.O. BOX 201347  
ARLINGTON, TX 76006-1347

Texas Comptroller of Public Accounts  
Jay W. Hurst  
c/o Sherri K.Simpson, Paralegal  
P.O. Box 12548  
Austin, TX 78711-2548

Alva Graphics  
Attn: Lessy  
1102 Shepherd  
Houston, TX 77007-5428

Compass Bank  
701 20th Street South  
Birmingham, AL 35233-2042

Genesis Commercial Capital, LLC/  
LEAF Funding, Inc.  
17551 Gillette Avenue  
Irvine, CA 92614-5609

Genesis Commercial Capital, LLC/  
Pentech Financial Services, Inc.  
240 E. Hacienda Avenue, Suite 100  
Campbell, CA 95008-6617

Internal Revenue Service  
c/o United States Attorney  
Southern District of Texas  
P.O. Box 61129  
Houston, TX 77208-1129

National Funding  
10800 NE 8th Street, Suite 802  
Bellevue, WA 98004-4462

Sterling Financial, Inc.  
4200 Somerset Drive, Suite 132  
Prairie Village, KS 66208-5213

Texas Workforce Commission  
Regulatory Integrity Division - SAU  
101 E 15th Street, Room 556  
Austin TX 78778-0001

FEEX, Inc.  
4826 Washington Avenue  
Houston, TX 77007-5304

Washington/Shepherd Partners, Ltd  
c/o Weycer, Kaplan, Pulaski & Zuber P.C.  
11 Greenway Plaza  
Suite 1400  
Houston, Tx 77046-1130

Authur Carr  
c/o Carl O. Sandin  
1235 N. Loop West, #600  
Houston, TX 77008-1772

Compass Bank  
P.O. Box 10566  
Birmingham AL 35296-0002

Genesis Commercial Capital, LLC/  
LEAF Funding, Inc.  
One Commerce Square  
2005 Market Street, 15th Floor  
Philadelphia, PA 19103-7009

Harris County, et al  
Linebarger Goggan Blair & Sampson LPP  
c/o John P. Dillman  
P.O. Box 3064  
Houston, Texas 77253-3064

Main Street Bank  
23970 US 59 North  
Kingwood, TX 77339-1535

Pawnee Leasing Corporation  
700 Centre Avenue  
Ft. Collins, CO 80526-1842

Sterling Financial, Inc.  
c/o First National Bank of Southern Kans  
100 N. Ohio  
Mt Hope, KS 67108

US Trustee  
Office of the US Trustee  
515 Rusk Ave  
Ste 3516  
Houston, TX 77002-2604

(p)WACHOVIA BANK NA  
PO BOX 13765  
ROANOKE VA 24037-3765

Washington/Shepherd Partners, Ltd.  
c/o Ms. Darla C. Carlisle  
Weycer, Kaplan, Pulaski & Zuber, P.C.  
11 Greenway Plaza, Suite 1400  
Houston, TX 77046-1130

Wells Fargo Bank, N.A.  
BDD Bankruptcy Dept,  
MAC S4101-08C  
100 W. Washington Street  
Phoenix, AZ 85003-1805

Wells Fargo Bank, N.A.  
Business Direct Operations  
Attn: Customer Service  
P.O. Box 348750  
Sacramento, CA 95834-8750

Wells Fargo Bank, N.A./  
Financial Pacific Leasing, LLC  
MAC N9311  
161 Sixth and Marquette  
Minneapolis, MN 55479-0001

Wells Fargo Bank, N.A./  
Financial Pacific Leasing, LLC  
P.O. Box 4568  
Federal Way, WA 98063-4568

George D Conner  
P.O. Box 926397  
Houston, TX 77292-6397

Jeff Alonzo  
6219 Queenswood Lane  
Houston, TX 77008-6342

Margaret Maxwell McClure  
909 Fannin Ste 3810  
Houston, TX 77010-1030

Margaret Maxwell McClure  
Attorney at Law  
909 Fannin  
Suite 3810  
Houston, TX 77010-1030

Ron Castro  
2302 Fannin  
Houston, TX 77002-9143

Troy Sams  
6219 Queenswood Lane  
Houston, TX 77008-6342

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

INTERNAL REVENUE SERVICE  
P.O. BOX 21126  
PHILADELPHIA, PA 19114

(d)Internal Revenue Service  
P.O. Box 21126  
Philadelphia, PA 19114

(d)Internal Revenue Service  
Special Procedures Branch  
Insolvency Section II (7,11)  
1919 Smith Street, Stop 5025HOU  
Houston, TX 77002

(d)Internal Revenue Service  
c/o United States Attorney General  
U.S. Department of Justice  
10th & Constitution, N.W.  
Washington, D.C. 20530

Wachovia Bank, N.A.  
Central Bankruptcy Dept. VA7359  
P.O. Box 13765  
Roanoke, VA 24037

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)First National Bank of Southern Kansas

(d)FEX, Inc.  
4826 Washington Avenue  
Houston, TX 77007-5304

(u)Carl O. Sandin

End of Label Matrix  
Mailable recipients 41  
Bypassed recipients 3  
Total 44